



**THE ATTORNEY GENERAL  
OF TEXAS**

January 9, 1989

**JIM MATTON  
ATTORNEY GENERAL**

Mr. Gary James  
Alderman  
c/o City Hall  
213 East Blackjack  
Dublin, Texas 76446

LO-89-2

Dear Mr. James:

You ask about the legality of one person holding both the position of city manager and the position of chief of police for the same city. The common law doctrine of incompatibility prohibits one person from occupying two positions when the holder of one position may impose its policies on the holder of the other or subject him to control in some way. Attorney General Opinions JM-133, JM-129 (1984). If the city charter of Dublin gives the city manager authority to supervise the police chief, the doctrine of incompatibility would prevent one person from holding both positions since otherwise the city manager would be in the position of supervising himself.

Very truly yours,

A handwritten signature in cursive script, reading "Sarah Woelk".

Sarah Woelk  
Assistant Attorney General  
Opinion Committee

SW/er  
ID# 5221